



CHAPTER VI

WISCONSIN AFFIRMATIVE ACTION HISTORY

The civil service system came into being to eliminate the practice under the spoils system of parceling out state jobs based on political affiliation. Thus, a principle of non-discrimination—at least on the basis of political affiliation—underlies the civil service system. Moreover, the civil service system's emphases on objective hiring criteria and merit-based selection are intended to give citizens equal opportunities to compete for state jobs.

However, this basic framework did little to ensure equal access to state employment for members of racial and ethnic minority groups, women, and persons with disabilities. In the early years of the civil service system, administrators of the system did not consider the impact of state employment practices on racial and ethnic minorities, women, or persons with disabilities. Nor did they compile statistics on the demographic makeup of the workforce. Efforts to examine the status of minorities and women within the civil service system did not begin until the 1960s, when the civil rights movement and new civil rights legislation brought the issue of employment discrimination to the forefront. When equal employment opportunity and affirmative action policies were formally adopted in the 1970s, civil service officials began, for the first time, to systematically identify where racial and ethnic minorities and women were under-represented in state jobs and to consider whether employment practices created unreasonable barriers for them or persons with disabilities. Armed with this data, the state began to implement a variety of affirmative measures to ensure that civil service employment practices did not exclude or otherwise discriminate against these historically disadvantaged groups.

A CLIMATE OF DISCRIMINATION

Affirmative action in employment was initiated in the early 1970s as a means to remedy the present effects of past discrimination, particularly discrimination against African Americans. Although today affirmative action and equal employment opportunity programs target a broader range of disadvantaged groups, these programs arose from the civil rights movement and the nation's painful legacy of racial segregation and discrimination.

Discrimination against racial and ethnic minorities and women was widespread and entrenched in American culture in the early 20th century. Southern Jim Crow laws, indentured servitude through land leases, sharecropping, voting discrimination, and lack of educational opportunities kept most African Americans impoverished. Even the federal government excluded blacks from equal participation in the armed forces, federal employment, federal housing, and federal contracting opportunities. Other racial and ethnic minorities also were excluded from equal participation in educational, political, social, and economic institutions nationwide. Women had not yet won even the right to vote.

At the time the civil service system was created and for much of the 20th century, racial and ethnic minorities and women confronted exclusion from, and discriminatory treatment in, workplaces in both the public and private sectors. African Americans and Hispanic Americans were segregated into low-wage jobs. Asian Americans were forbidden by law from owning land, and instead farmed lands to which they could not hold title. "Protective" laws prohibited women from being employed in many occupations, limited the number of

hours they could work and the amount of weight they could lift, and imposed other restrictions on their employment.¹

In Wisconsin, the impact of racial discrimination was less visible in the early 20th century for two reasons. First, members of racial and ethnic minority groups made up a very small fraction of the state's population. In 1910, for example, there were just 3,000 African Americans living in the state. Secondly, Wisconsin had a history of public commitment to equal rights dating back to the days of slavery, when the state was the northern terminus to the underground railroad. Wisconsin was comparatively early in adopting antidiscrimination policies, granting voting rights to black men in 1866 and prohibiting discrimination in public places of accommodation in 1895.²

Due to widespread labor shortages, northern steel plants and manufacturers during the war years sought black workers to help produce the products and materials to fuel the war effort. This triggered a massive migration of blacks from the rural south to the booming northern industrial cities, where jobs were plentiful. Cities like Chicago, Detroit, Gary, and many others experienced exponential growth in African American populations.

The black migration was slow to reach Wisconsin, however. By 1940, just before the war, the census showed 12,158 African Americans living in the state. With a mainly agricultural economy and a manufacturing base requiring mainly highly-skilled workers, Wisconsin initially lacked the large numbers of jobs for laborers that were present in other areas. Because the black population of the state was so small, the state also lacked widespread community support for other migrating black families. In addition, though state anti-discrimination laws were liberal for the time, bias against blacks appeared in local housing covenants and discouraged black migration into Wisconsin.³

As recently as the 1940s, the doors of many Wisconsin employers were all but closed to black job applicants. One 1943 survey of employers in the state showed that department stores hired blacks only as porters and maids. Foundries and other heavy industries did not hire blacks at all. Of the surveyed employers, only a packing house, one railroad and two light industries regularly employed African Americans in any numbers.

The reasons employers gave in this survey by the employers for not employing blacks were that black people did not apply for these jobs and that white employees did not like to work with them.⁴

With the labor shortages that arose during World War II, the population of racial and ethnic minorities expanded rapidly in Wisconsin in the late 1940s, clustering in southeastern Wisconsin. The migration of African Americans spilled over from Chicago and northern Illinois into Kenosha, Racine, Beloit, and Milwaukee in southeastern Wisconsin.⁵

Despite the population boom, racial separation and discriminatory employment practices continued. Through the 1960s, African Americans and other minorities were segregated into low wage jobs. Entire industries and categories of employment were, in effect, reserved for white men, with women and minorities forbidden to apply. Newspaper job listings were segregated by gender. Women confronted lower pay and fewer benefits than men, even when performing similar jobs; the loss of their jobs if they married or became pregnant; and sexual harassment and other discrimination in the workplace.

FEDERAL EFFORTS TO ELIMINATE EMPLOYMENT DISCRIMINATION

As early as the 1930s, federal employment and training programs enacted to combat the Great Depression contained nondiscrimination clauses. The Unemployment Relief Act of 1933, the Social Security Act of 1933, and the Wagner-Peyser Act of 1935 all paid credence to the concept of nondiscrimination on the basis of race, creed, color and national origin. But none of these laws provided any real enforcement power.⁶

Additional steps to eliminate barriers to employment for racial minorities came during World War II, when the nation was experiencing a severe labor shortage. President Franklin D. Roosevelt issued an executive order in 1941 that barred discrimination on the basis of race, creed, color, or national origin by federal defense contractors, and created the Fair Employment Practices Commission to oversee the practices of contractors. The order was the direct result of the lobbying efforts of A. Philip Randolph, president of the Brotherhood of

Sleeping Car Porters, who had threatened a march on Washington by 100,000 black men to protest discrimination in the defense industries. Although the order represented an important policy statement against racial discrimination, President Roosevelt's Fair Employment Practices Commission, like prior bodies, lacked adequate enforcement authority.⁷

The U.S. Supreme Court's watershed decision in *Brown vs. Board of Education* in 1954 marked a major turning point for civil rights, overturning the "separate but equal" fiction that had allowed Jim Crow segregation to persist across the nation.⁸ Following the *Brown* decision, the civil rights movement gained momentum. Protests and public demonstrations by blacks and others against discrimination began to erode cultural acceptance of the discriminatory practices that excluded blacks and other minorities from the economic mainstream. In 1957, Dr. Martin Luther King, Jr. led a bus boycott in Montgomery, Alabama to protest racial segregation and discrimination in jobs, housing, and public accommodations. The early 1960s saw an increasing frequency of protests such as student sit-ins, "freedom rides," and demonstrations. In May 1963, police use of dogs and high-pressure fire hoses by police to suppress a demonstration on the 100th anniversary of the Emancipation Proclamation in Birmingham, Alabama gave rise to protests in several other cities. In August 1964, 200,000 blacks and whites marched together in Washington, D.C. to demand equal treatment for the races.⁹

President Kennedy sent Congress a civil rights bill in June, 1963, that dealt with the critically important issues of equal employment, education, public accommodations and voting. He did not live to see the law enacted. Subsequently, with President Lyndon Johnson's support, Congress passed the Civil Rights Act of 1964, the most comprehensive civil rights law since Reconstruction. Among other things, the Act required private-sector employers to provide equal employment opportunities and prohibited employment discrimination on the basis of race, color, religion, sex, or national origin. The Act created the Equal Employment Opportunity Commission to enforce its provisions.¹⁰ However, the Act did not apply to federal, state, or local governments until it was amended in 1972.¹¹



Civil rights group CORE picketing for fairness and equality in housing. 1964

The concept of affirmative action, as the term is used today, first appeared in 1965 and applied to federal contractors. President Lyndon Johnson issued an executive order that required government contractors to "take affirmative action to ensure that qualified applicants obtain employment, and that employees are treated during employment, without regard to their race, color, religion, sex or national origin." In 1968, gender was added to the protected categories. The purpose of the order was to create a "level playing field" to redress discrimination that had persisted despite the passage of civil rights laws and the existence of constitutional protections.¹² In the words of President Johnson, affirmative action was needed to achieve "not just equality as a right and a theory, but equality as a fact and as a result."¹³

At the outset, affirmative action was viewed as a remedial strategy that would end when a level playing field had been achieved for all Americans. The policy represented the federal government's commitment not merely to denounce discrimination, but to pursue a course of action that would secure the same employment and educational opportunities for historically disadvantaged groups that had previously been available only to whites and men.

WISCONSIN'S PROGRESS TOWARD EQUAL EMPLOYMENT OPPORTUNITY

At the state level, the Wisconsin Fair Employment Act (WFEA) was passed in 1945, prohibiting discrimination in employment on the bases of race, creed, color, national origin, or ancestry.¹⁴ The law was the third such enactment in the nation, following the states of New York and Oregon. The WFEA also authorized the state Industrial Commission to receive and investigate complaints, hold hearings, and make recommendations for eliminating discriminatory practices.

The law was gradually expanded to cover other groups that were subject to employment discrimination. A prohibition against discrimination on the basis of age for those between the ages of 40 and 65 was added in 1959.¹⁵ In 1961, Wisconsin became the first state to extend such protections to women, when the WFEA was amended to prohibit employment discrimination on the basis of gender.¹⁶ In 1965, the law was amended to extend protections against employment discrimination to the disabled and again in 1982 to prohibit discrimination on the basis of sexual orientation.¹⁷ The Equal Rights Division at the Department of Industry, Labor, and Human Relations was created in 1967 to enforce the Wisconsin Fair Employment Act against covered employers. The division was also authorized to enforce other state anti-discrimination laws.¹⁸

Notably, however, the WFEA did not apply to state government at the time of its enactment or for decades afterward. Not until 1975 was the act amended to include the State of Wisconsin and units of local government as covered employers.¹⁹

IMPLEMENTING AFFIRMATIVE ACTION IN THE STATE CIVIL SERVICE

On May 17, 1972, Governor Patrick Lucey issued an executive order mandating affirmative action in the state civil service and creating an affirmative action unit in the Bureau of Personnel, which was then within the Department of Administration. The executive order also directed the head of every state agency to encourage racial and ethnic minorities and women to apply for employment and to designate an affirmative action officer responsible for developing an affirmative action plan.²⁰

When the Department of Employment Relations (DER) was subsequently created by the legislature in 1977, the new secretary of DER was charged with overseeing the statewide affirmative action and equal opportunity programs.²¹ In 1978, the division of affirmative action was established within DER to oversee equal employment opportunity and affirmative action in the Wisconsin civil service system.

In the same legislation that created DER, the legislature created two other entities that played an important role in implementing affirmative action and equal employment opportunity in the state civil service system. First, the legislature created an independent Personnel Commission that was empowered to review complaints of employment discrimination by state employees under WFEA.²² In addition, the State Council on Affirmative Action was formed, codifying the Affirmative Action Executive Commission that Governor Lucey had created by executive order in 1975. The Council was established to:

serve in a direct advisory capacity to the [DER secretary] and as part of that relationship shall evaluate the progress of affirmative action programs throughout the civil service system, seek compliance with state and federal regulations and recommend improvements in the state's affirmative action efforts as an employer. In carrying out its responsibilities, the council may recommend legislation, consult with agency personnel and other interested persons, conduct hearings and take other appropriate action to promote affirmative action. The council shall report at least once per year to the governor and the legislature.²³

As originally constituted, the Council was made up of members of the public nominated by the governor and the legislative leaders, with a majority of the members representing racial and ethnic minorities, women, and persons with disabilities.²⁴ Among its achievements over the years, the Council has led the way in celebrating high quality, successful affirmative action, equal employment opportunity, and diversity programs in state agencies and at UW System campuses. In 2000, the Council initiated an annual diversity award program to celebrate the many successful programs across state government and to provide inspiration for the continued pursuit of equal opportunity.

Affirmative action efforts received additional support in 1983, when Governor Anthony Earl issued an executive order encouraging the establishment of innovative programs in the Wisconsin civil service system.²⁵ The goal of such programs was to ensure that affirmative action and equal opportunity goals were attained, to integrate affirmative action concerns in the collective bargaining process, and to provide on-going training for state managers and supervisors. The executive order also provided for affirmative action advisory committees at state agencies and for equal opportunity requirements to be written in service delivery programs.

STATE AFFIRMATIVE ACTION POLICIES

With a framework for affirmative action thus in place, DER (and subsequently OSER) implemented statewide policy and procedure standards to ensure equal and fair treatment in Wisconsin civil service practices. These areas include recruitment, testing, certification, interviewing, hiring, transfers, promotions, training, compensation, benefits, layoffs, terminations, and retention.²⁶ The Wisconsin civil service system today has a clearly-stated policy of affirmative action, as expressed in the standards set by OSER's division of affirmative action for agency affirmative action plans: "The fact that an agency has an affirmative action goal for a job group does not mean that any specific positions are set aside for racial/ethnic minorities or women, or that there are quotas that must be met. It does mean, however, that race and sex may be considered as one factor among the many factors involved in filling a position and making a hiring decision."²⁷ In addition, hiring decisions must be justified and based on the consideration of a candidate's education, training, experience, or skills.²⁸

In 1980, expanded certification programs for women, racial and ethnic minorities, and persons with disabilities were developed and incorporated in the Wisconsin civil service system. This program replaced a prior system that allowed the administrator of merit recruitment and selection to prepare separate certification lists of minorities and women after this approach was determined to be unconstitutional by the courts.²⁹ The expanded certification program permits the administrator of the division of merit recruitment and selection to add the names of qualified candidates who are racial

and ethnic minorities, women, or persons with disabilities to the certification list for further hiring considerations. Although expanded certification does not carry a guarantee of being hired, it enhances the opportunities for targeted applicants who meet job qualifications to compete in the civil service selection process.

The division of affirmative action today oversees statewide efforts to implement affirmative action and equal employment opportunity. Under current law, the division of affirmative action must conduct a thorough and detailed analysis of job classifications that are under-represented for racial and ethnic minorities and women on a regular basis.³⁰ The identification of a substantial disparity between the state civil service and the relevant labor pool triggers the application of affirmative action in hiring.

The statutes governing the civil service system now require the state as an employer to take steps to ensure equal employment opportunity not only in hiring but in all aspects of the employer-employee relationship. Under current law, the appointing authority of each state agency is required to comply with the affirmative action and equal employment opportunity standards established by the Office of State Employment Relations. The appointing authority is required to designate an affirmative action officer to advise and assist the appointing authority in establishing affirmative action and equal employment opportunity programs at the agency. Agencies with fifty or more employees must create an affirmative action advisory committee to advise the appointing authority concerning programs designed to ensure equal opportunity to employees, job applicants and clients of the agency.³¹ The division of affirmative action supports these efforts by reviewing affirmative action plans of state agencies, including the University of Wisconsin System campuses, to ensure compliance with affirmative action and equal employment opportunity standards. The division also monitors, evaluates, and makes recommendations to each agency to improve its progress toward providing equal opportunity to employees, job applicants and clients of the agency.³²

As a matter of statistics, the state's affirmative action programs have been effective in improving access to racial and ethnic minorities in the state civil service

system. In 1979, racial and ethnic minorities constituted 4% of the state workforce and 0.3% of the professional and upper-management positions. In 2003, they constituted 8.6% of the state workforce and 3.2% of the professional and upper-management positions. However, despite this progress, many pockets of under-representation continue to exist throughout the state workforce, due in large part to the increasing diversity of the available labor force in Wisconsin. These disparities underscore the continuing need for affirmative action policies to remedy the persistent, albeit reduced, imbalance between the composition of the state government workforce and the pool of available workers.

EFFORTS TO ENSURE EQUAL EMPLOYMENT OPPORTUNITIES FOR WOMEN

Following on the heels of legislation and other official action undertaken in response to the civil rights movement to remedy racial discrimination, a movement to extend equal rights to women gained legislative support at both the national and state levels. The Civil Rights Act of 1964 included sex among the prohibited bases for discrimination from the time it was first enacted. The federal Pregnancy Discrimination Act, enacted in 1978, expanded the protections for women by prohibiting discrimination on the basis of pregnancy, childbirth, or related medical conditions.³³

Wisconsin was at the vanguard of legislative efforts to ensure equal employment opportunity for women, having extended the protections of the Wisconsin Fair Employment Act to women in 1961. Likewise, the Bureau of Personnel took early steps to eliminate barriers to equal employment opportunity for women within state government, conducting a survey on the status of women in state employment in 1964. In 1971, personnel director Carl Wettengel announced that the State of Wisconsin would no longer advertise state jobs in sex-segregated classified advertising columns ("man wanted" and "women wanted" advertisements) in state newspapers. Also in 1971, the Bureau adopted a policy that pregnancy would be treated the same as any other medical-related work interruption under state sick leave and disability policies.

The concept of pay equity was launched at the national level in 1961, when Congress enacted the Equal Pay Act to prohibit discrimination in wages based on sex.



Members of the Political Equality League in an early Ford automobile.

However, the federal law applied only to the private sector and, accordingly, did not apply to Wisconsin state government as an employer. The issue of equal pay for similar work was addressed for Wisconsin civil service employees by a state task force on comparable worth, convened in 1984. The task force's 1986 report resulted in legislation that allowed for a one-time budget increase for pay equity adjustments. Many state positions that were traditionally staffed by women (or in some cases minorities) were reclassified or adjusted to pay levels comparable to similar positions staffed by men. In addition, the state civil service classification system was reconfigured with a pay structure that was based on the required responsibilities of job classifications rather than gender.³⁴

Besides addressing pay inequity, employment policies were developed in Wisconsin civil service to address other issues that had historically disadvantaged women in the work place. State policies prohibit all forms of harassment, including sexual harassment.³⁵ State agencies are also required to participate in alternative work patterns, accommodating flex-time or part-time schedules when possible. In addition, the Wisconsin Family and Medical Leave Act, enacted in 1988, ensures that employees may take necessary leaves of absence from the workplace without fear of job loss.

In 1979, women represented 43% of the Wisconsin civil service workforce. About 80% of these women earned less than \$1200, compared to 37% of the men.³⁶ By comparison, in 2003, 51.5% of the Wisconsin civil service employees were women. Although women held 50.1% of professional positions in 2003, they still lagged behind men in senior management jobs, holding only about 35% of high-level management jobs in the civil service.

The average salary for women employees remains lower than the average for all state employees.³⁷ This wage gap is largely attributable to the continued predominance of women in lower-paying jobs, particularly clerical and paraprofessional jobs, and their continued under-representation in management jobs and other higher-paying professional occupations. These patterns justify the continuation of state affirmative action policies directed at women, with particular emphasis on retention and upward mobility.

EFFORTS TO ENSURE EQUAL EMPLOYMENT OPPORTUNITIES FOR PERSONS WITH DISABILITIES

Several landmark pieces of legislation have been passed in the last four decades at both the national and state levels to provide disabled individuals with equal employment opportunities. These acts not only prohibited discrimination, but promoted affirmative action in the hiring of disabled individuals and required the removal of physical barriers in and out of the workplace.

Recollections of a State Employee

I formally retired from the Department of Public Instruction as of January 28, 2005, after working for the Department for 47 years. DPI was a wonderful agency to work for. All of the elected state superintendents were great in their own ways. I worked for seven elected superintendents and one (Lee Dreyfus) who was appointed for three months to fill out Bert Grover's term when he joined Governor Tommy Thompson's administration.

On the Friday before Labor Day in 1957 (the day after I graduated from Madison Business College with a medical secretarial certificate) I "rolled" into the State Capitol (I've been in a wheelchair since 1952, due to having polio when I was a freshman in high school) to the north wing, where the Department of Employment Relations was located. At the receptionist desk was Olive Calhoun, who said that they could give me a steno 2 test right away. I was given the written test and then took a typing test on a manual typewriter. Having passed both, staff members said that DPI had a vacancy and was right in the same north wing area. So I rolled over to the DPI

receptionist, who then called the office manager, Ms Hammersley. Ms. Hammersley came out and asked me to interview immediately with her and the deputy state superintendent, Russ Lewis, for a position as secretary to one of the division administrators, Walter Senty. The following Tuesday, I received a call to my home offering me the job. This was all prior to affirmative action and I was a young 18 year old in a wheelchair.

On September 9, 1957, I began my formal career with the Department of Public Instruction. Over the years I've held many titles - steno 2, steno 3, administrative secretary 1, administrative secretary 2, program assistant supervisor 1, program assistant supervisor 2, and now education specialist. I am still basically in the same division. It has been an absolutely wonderful agency to work for. My family has never heard me say I didn't want to go to work, and I have a husband, two daughters, four grandsons, and a great granddaughter!

—Mary Parks

The 1973 Rehabilitation Act, the result of an intense lobbying campaign by disability organizations and consumer groups, was the first breakthrough. The Act barred employment discrimination against the disabled by the federal government and organizations receiving federal assistance; required the removal of architectural and transportation barriers; and required the government to take affirmative action to employ and promote qualified disabled persons. In addition, the Act established client assistance programs to inform clients and applicants about benefits to which they were entitled.³⁸

The Americans with Disabilities Act (ADA) was enacted in 1990 to integrate persons with disabilities into the mainstream of society. It strengthened the protection of qualified disabled individuals in seeking employment, availing themselves of public accommodations and transportation, and in accessing public services.³⁹ Amendments in 1991 to the Civil Rights Act of 1964 provided for the recovery of compensatory and punitive damages for intentional violations of the ADA, the Rehabilitation Act of 1973, and Title VII.⁴⁰

As in other areas, Wisconsin has been at the forefront in addressing the employment issues of persons with disabilities. The WFEA extended protections against employment discrimination to the disabled in 1965, well in advance of federal legislation. As noted above, however, the WFEA did not apply to the state government and local government units until 1975. In the civil service system, persons with disabilities are considered an affirmative action target group as a matter of state law. The expanded certification program, implemented in 1980, allows three additional qualified disabled candidates to be added to a certification list for further consideration in the civil service selection process.⁴¹

The division of affirmative action at the Office of State Employment Relations promulgates policies and procedures to guide state agencies in providing reasonable accommodation at all phases of the employment

process for disabled applicants and employees of the state civil service. Providing accommodations such as job restructuring or changing of test locations enables persons with disabilities to enjoy equal employment opportunities.

The state's efforts in providing equal employment opportunities to the disabled have paid off, as seen by the increasing diversity of the state workforce. Disabled employees constituted 2.8% of the state civil service in 1979. The percentage had increased to 6.8% in 2004, comparable to the estimated 6.6% of disabled workers in the state labor force.⁴²

THE FUTURE OF AFFIRMATIVE ACTION IN THE STATE CIVIL SERVICE

The Wisconsin civil service has made great progress in ensuring equal opportunities to all state job applicants and current employees, including those in protected classes. But like many other aspects of the civil service system, the state's affirmative action policies do not represent a static set of rules that can be deemed either final or obsolete. The demographics of Wisconsin's population and labor force are constantly in flux due to new waves of immigration, changes in birth rates, the aging of the post-war baby boom generation, and many other factors. In the past 15 years, for example, the state's Hispanic population has more than doubled, from under 100,000 in 1994 to nearly 200,000 in 2004. Likewise the state's Hmong population more than doubled between 1990 and 2000. New strategies and a renewed commitment to affirmative action will allow us to continue progress toward a state civil service that provides an even playing field for all citizens in our increasingly diverse state, while upholding the principle of merit hiring.

—Demetri Fisher, Lai Wong,
Pepe Indalecio, Janice Faust

TIMELINE OF WISCONSIN AFFIRMATIVE ACTION

1945

The Wisconsin Fair Employment Act was enacted, prohibiting discrimination in employment based on race, color, creed, ancestry and national origin.

1954

The U.S. Supreme Court issued its historic decision in *Brown vs. Board of Education*, holding that racial segregation was unconstitutional.

1959

The Wisconsin Fair Employment Act was amended to add age as a category protected from employment discrimination.

1964

The Civil Rights Act of 1964 was passed by Congress and signed into law by President Lyndon B. Johnson.

1965

President Johnson issued Executive Order 11246, which required government contractors to “take affirmative action” to remedy employment discrimination.

1967

US Congress passed the Age Discrimination in Employment Act, which prohibited age discrimination of workers between the ages of 40 and 65 years old.

1971

State Bureau of Personnel Director Carl Wettengel announced that the State of Wisconsin would not advertise jobs under sex-segregated classified advertisement columns. Civil service rules were amended to require employment absences due to pregnancy to be treated like other medical leave.

1972

Governor Patrick Lucey issued executive order 39, requiring affirmative action in the state civil service.

1973

The federal Rehabilitation Act was enacted.

July 1975

The Wisconsin Fair Employment Act was amended, making the State of Wisconsin and units of local government covered employers subject to its provisions.

1977

Legislation was passed creating the Department of Employment Relations, the State Council on Affirmative Action, and the Personnel Commission.

1978

The Division of Affirmative Action was established at the Department of Employment Relations.

1978

The federal Pregnancy Discrimination Act was enacted.

1980

Expanded certification for women, racial and ethnic minorities, and people with disabilities was incorporated into the hiring process for Wisconsin civil service employees.

1982

The Wisconsin Fair Employment Act was amended to add sexual orientation as a category protected from employment discrimination.

1984

Governor Anthony Earl appointed a task force to make recommendations regarding a pay equity system in the state civil service.

1986

Pay adjustments are made for women in state civil service jobs as a result of the pay equity task force’s recommendations.

1988

The Wisconsin Family and Medical Leave Act was enacted.

1990

The federal Americans with Disabilities Act was enacted.